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**IN THE UNITED STATES DISTRICT COURT
FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

LISA S. BLACK,) CIVIL ACTION NO. 05-0038
Plaintiff,)
vs.) DEFENDANT CNMI PUBLIC
JIM BREWER, individually and in his) SCHOOL SYSTEM (PSS) REQUEST
official capacity as Acting Principal for) FOR PERMISSION TO TAKE
Hopwood Junior High School,) TESTIMONY BY
COMMONWEALTH OF THE NORTHERN) CONTEMPORANEOUS
MARIANA ISLANDS PUBLIC SCHOOL) TRANSMISSION UNDER
SYSTEM, and JOHN AND/OR JANE DOE,) Fed.R.Civ.P. 43(a)
Defendants.)

Defendant, CNMI Public School System, respectfully makes this motion under Fed. R. Civ. P. 43(a) to permit the presentation of testimony by witness Christine Halloran by contemporaneous transmission from a different location.

Mr. Halloran is currently a teacher at Hopwood Junior High School. Unexpectedly, Ms. Halloran needs to go to the Washington D.C. area for medical treatment that she can not obtain

1 in the CNMI. She will be outside the CNMI from February 22 to March 15, 2007. Ms. Halloran
2 has had a difficult time to obtain flights to her destination to not conflict with the trial.
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4 For the above reasons, the CNMI Public School System respectfully requests that Ms.
5 Christine Halloran be allowed to testify via teleconference or other means that the court finds
6 appropriate. PSS will work with the court and Ms. Halloran to ensure there are appropriate
7 safeguards for the contemporaneous transmission.
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9 Respectfully submitted by:
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11 _____/s/
12 Heather L. Kennedy F0246
13 Karen M. Klaver F0241
14 Attorneys for the Public School System
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1 **AFFIDAVIT KAREN KLAVER**
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I, Karen M. Klaver, declare under penalty of perjury that the following information and
attachments hereto are true and accurate:

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6 1. I am more than 18 years of age and a resident of the CNMI.
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8 2. I am currently employed at the CNMI Public School System.
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10 3. I am making this request for Christine Halloran to testify via teleconference.
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12 4. Ms. Halloran told me that she needs to leave the CNMI for a medical
13 appointment.
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15 5. Ms. Halloran told me that she has tried to reschedule her appointment to not
16 conflict with the dates of the trial.
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18 6. Ms. Halloran said she was unable to get flights that did not conflict with the dates
19 of the trial.
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21 7. Ms. Halloran will be in Fredericksburg, Virginia and is willing to testify via
22 teleconference.
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Signed this ____17____day of ____February____, 2007

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____/S/_____
29 Karen M. Klaver